

Appl. No. 09/452,952

Amendment dated January 17, 2006 (January 15th Sunday and 16th Holiday)

Reply to Office Action of September 15, 2005

Remarks

Reconsideration is respectfully requested in light of the forgoing amendments and remarks which follow.

Claims 1, 3-4, 6-9, 11-12 and 14 are pending in the application. Claims 1 and 14 have been amended to include an additional embodiment, a camera affixed to the race car, which is capable of adjustment by the participant or others to provide a desired view from the race car, e.g. front, back side, etc. Support for this embodiment is found in the specification as filed, for example see page 7, starting at line 14.

Rejection under 35 U.S.C. § 102

Claims 1, 3, 4, 6-9 11, 12 and 14 are rejected under 35 U.S.C. 103 as being unpatentable over Anderson et al. (6,578,203) in view of Matthews III (5,600,368). Applicants respectfully traverse.

Claim 1 and 14 have been amended to further distinguish over the teachings of Anderson et al. As amended, the claims require an adjustable camera affixed to the car cable of providing views selected by the driver or a third party to provide specific views from the driver's perspective. The camera of the invention is also stabilized to provide clear pictures (vibration is dampened.). The camera can be oriented by motors to provide select views by the driver or an individual outside of the car, if desired. Members of the broadcast team, in addition to the race participant, can select a unique view for the benefit of the viewer. A double selection is possible for the viewer. The claimed system also provides a wide range of combinations of audio and video signals.

Anderson et al. makes no mention of a pay-per-view television system, the Internet or other similar computer network nor does Anderson et al. mention the use of the race participant's view being displayed on a split television or monitor screen, based on viewer selection of a single

participant or participant group.

In addition, Anderson et al. do not teach or suggest the use of an adjustable fixed positioned camera to generate a wide range of selectable views from an individual race participant's perspective. Further, Anderson et al. do not teach or suggest the possibility of the selection of a desired view from the range of views by the race participant or by others outside the car. (A video image can be transmitted from a lead car, with applicant's system and method, which shows cars in hot pursuit, with the possibly overtaking and passing it, which contest can be selected by the viewer and viewed in all its detail. The drama possibility is tremendous.)

Mathews III was relied upon to teach the use of split screen to view image data. This teaching does not remedy the deficiency discussed above relative to the primary reference.

It is noted that Anderson et al. do not expressly describe an occasion where split screen viewing would be desired. It appears that the Examiner merely asserts that split screen viewing is known and therefore it would have been obvious to apply this technology to modify the Anderson et al device and method. This is not a case of *prima facie* obviousness.

In any event, the amended claims further distance themselves from the teaching of Anderson et al. This technical gap would not have been rendered obvious by the combined teaching of Anderson et al and Mathews III. In the absence of a proper *prima facie* case of obviousness, withdrawal of the rejection is believed to be in order and is respectfully requested.

Conclusion

The sole remaining rejection has been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding

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rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

A Notice of Allowance with claims 1, 3-4, 6-9, 11-12 and 14 is respectfully requested.

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Respectfully submitted,



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